

EXHIBIT 4
Christopher Chandler
Declaration

HIGHLIGHTED PORTIONS CONFIDENTIAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHEASTERN DIVISION

NUCLEAR DEVELOPMENT LLC,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 5:18-CV-01983-LCB
)	
TENNESSEE VALLEY)	
AUTHORITY,)	
)	
Defendant.)	

**DECLARATION OF CHRISTOPHER C. CHANDLER IN SUPPORT OF
DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT**

I, Christopher C. Chandler, declare under penalty of perjury under the laws of the United States of America that the following is true and correct:

1. I am a senior attorney in the Office of the General Counsel at Tennessee Valley Authority ("TVA"). In the regular performance of my job duties, I have access to and am familiar with relevant business records maintained by TVA for the purpose of nuclear regulatory and licensing matters. These records were made at or near the time, or reasonably soon after the act, event, or condition recorded. These records are maintained in the ordinary course of TVA's regularly conducted business activity, which is TVA's customary practice. All facts set forth herein are either (a) facts of which I have personal knowledge; or (b) an accurate summary of TVA's

business records, which I have reviewed. All records attached to this Declaration are true and accurate copies from TVA's business records.

2. In 2005, TVA decided that it would not complete the two nuclear reactors at the Bellefonte Plant Nuclear Site and that it would request that the construction permits for those two units (the "Construction Permits") be withdrawn by the U.S. Nuclear Regulatory Commission ("NRC"). In making that decision, TVA abandoned any intent to complete the design of the units. Thus, once TVA made that decision, the units at the Bellefonte Nuclear Plant Site were no longer designed to sustain nuclear fission in a self-supporting chain reaction.

3. In 2008, TVA requested the NRC to reinstate the Construction Permits. In making that request, TVA indicated that it could complete the units. The NRC reinstated the Construction Permits and placed them in "terminated plant" status in accordance with the NRC's Policy Statement on Deferred Plants. Once the NRC reinstated the Construction Permits, the units were designed to sustain nuclear fission in a self-supporting chain reaction.

4. I participated in a telephone call on November 15, 2018, between TVA representatives and Larry Blust. During that call, TVA's General Counsel Sherry Quirk asked Mr. Blust if Timothy Matthews, the licensing counsel for Nuclear Development LLC ("ND"), had rendered a legal opinion on whether closing on the

sale of the Bellefonte Nuclear Plant Site to TVA would be lawful under the Atomic Energy Act. Mr. Blust responded that Mr. Matthews said it was not opinionable.

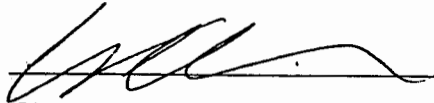
5. I participated in a telephone call on November 19, 2018, between TVA representatives and Larry Blust. During that call, Mr. Blust was discussing the legal effect of closing on the sale of the Bellefonte Nuclear Plant site without NRC approval of the Construction Permits, and Mr. Blust stated that "certainly it would violate the Atomic Energy Act."

6. In late November 2018, TVA obtained a legal opinion from Pillsbury Winthrop Shaw Pittman LLC stating that it would be unlawful for TVA to transfer ownership of the Bellefonte Nuclear Plant Site to ND without any form of NRC approval. A copy of that opinion letter is attached as **Appendix 1**.

7. I routinely check the NRC website for information on the status of ND's application for transfer of the Construction Permits. As of today, there is no indication on the NRC website that the NRC has made a decision on whether to approve the transfer.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed: October 13, 2020


Christopher C. Chandler